

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. Box 1450, ALEXANDRIA, VA 22313-1450 ON July 23, 2004

IFW
Dae

Audrey Boyd
July 23, 2004
DATE

Attorney Docket No.: P32181C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lewis et al.
Serial No.: 10/691,159
Filed: 22 October 2003
For: PHARMACEUTICAL COMPOSITION FOR MODIFIED RELEASE OF AN INSULIN SENSITISER AND ANOTHER ANTIDIABETIC AGENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT FILE DATE

Sir:

Correction of the date of filing of the above-identified application is respectfully requested. Applicants submit that on 22 October 2003, we deposited the application and postcard with the USPTO. Enclosed please find a copy of the post card and USPS mailing receipt date stamped 22 October 2003 by the United States Postal Service. The USPTO date stamped the return postcard 21 October 2003.

Applicants respectfully request that the United States Patent and Trademark Office correct the above-noted error and issue an amended Filing Receipt.

These errors appear to be on the part of the Patent and Trademark Office since they are not present in applicant's file copy of the application.

Respectfully submitted,

Kathryn L. Sieburth

Kathryn L. Sieburth
Attorney for Applicants
Registration No. 40,072

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5012
Facsimile (610) 270-5090
N:\kls\cases\p32181c1\correctfiledate.doc



EV 332944720 US



UNITED STATES POSTAL SERVICE®

Post Office to Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code <u>19428</u>	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>		Delivery Attempt Mo. <u>10</u> Day <u>22</u> Year <u>03</u>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <u>[Signature]</u>	
Date in Mo. <u>10</u> Day <u>22</u> Year <u>03</u>	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ <u>1.85</u>		Delivery Attempt Mo. <u>10</u> Day <u>22</u> Year <u>03</u>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <u>[Signature]</u>	
Time in <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee \$ <u>1.36</u>		Delivery Date Mo. <u>10</u> Day <u>22</u> Year <u>03</u>	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <u>[Signature]</u>	
Weight lbs. <u>0.7</u> ozs. <u>0</u>	Int'l Alpha Country Code	COD Fee	Insurance Fee	<input type="checkbox"/> WAIVER OF SIGNATURE <input type="checkbox"/> NO DELIVERY			
No Delivery <input type="checkbox"/> Week <input type="checkbox"/> Holiday	Acceptance Clerk Initials <u>111</u>	Total Postage & Fee \$ <u>1.36</u>		Federal Agency Acct. No. or Postal Service Acct. No.			
CUSTOMER USE ONLY				CUSTOMER USE ONLY			
METHOD OF PAYMENT: <u>1922413</u>				METHOD OF PAYMENT: <u>1922413</u>			
FROM: (PLEASE PRINT) <u>GLAXOSMITHKLINE</u> <u>CORPORATE INTELLECTUAL</u> <u>PROPERTY UW2220</u> <u>PO BOX 1450</u> <u>KING OF PRUSSIA PA 19406-0939</u> <u>P32181C1/k1s</u>				TO: (PLEASE PRINT) <u>MAIL STOP PATENT APPLICATION</u> <u>COMMISSIONER FOR PATENTS</u> <u>PO BOX 1450</u> <u>ALEXANDRIA VA 22313-1450</u>			

PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

DOCKET No. P32181C1 Date Mailed 10/22/03 Atty/Secy KLS/lab
 MAILING: CERTIFICATE/EXPRESS MAIL # EV332944720US
 U.S. Serial No.: Not Assigned Filing Date: Herewith
 Int'l App. No.: _____ Int'l Filing Date: _____
 Pred. App # - 09/831,650
 RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:
☒ Appln. Trans. (+ 1 copy) for: ☐ Provisional ☐ CIP ☐ Statement to Support Filing
☒ Continuation ☐ CPA ☐ RCE ☐ Divisional ☐ Copy of Notice to Comply
☒ Specification 20 pages ☒ Abstract 1 pgs ☐ Diskette ☐ Paper Seq. Listing
☒ Dec. & Power of Atty 6 pages (prior app) ☐ Appeal Brief _____ pages
☐ Drawings _____ Sheet(s)/Figs _____ to _____ ☐ Petition _____ pgs.
☐ Assignment _____ pages & Recordation Cover Sheet ☐ Status Request
☐ Trans. Ltr Nat'l Stage Entry (3pgs.) ☐ Trans. Nat'l Stage (2nd sub)
☐ Information Disclosure Statement ☐ Resp. to Written Opinion
☒ Form PTO-1449 1 pgs. & _____ References - ☐ Priority Document
☒ Amendment 6 pages Prelim. ☐ Notice of Appeal/Brief
☐ Petition for Extension of Time plus 2 copies ☐ Resp. to Rest. Req. _____ pgs.
☐ Issue Fee Trans. (Part B) + 1 copy ☐ Req. to Correct Filing Receipt
☐ Copy of Notice to File Missing Parts ☐ Copy of Filing Receipt
☐ Request for Nonpublication (1 pg) ☐ Correct Defects _____ pages
☒ Authorization to Charge Dep. Acct. # 19-2570 ☒ Postcard

1920 U.S. PTO
10/691159

102103



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/691,159	10/21/2003	1615	1564	P32181C1	1:24	15	1

CONFIRMATION NO. 6528

20462
SMITHKLINE BEECHAM CORPORATION
CORPORATE INTELLECTUAL PROPERTY-US, UW2220
P. O. BOX 1539
KING OF PRUSSIA, PA 19406-0939

FILING RECEIPT



OC000000011735154

Date Mailed: 01/22/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Karen Lewis, Harlow, UNITED KINGDOM;
Nicola Jayne Lillioth, St. Albans, UNITED KINGDOM;
Donald Colin MacKenzie, Harlow, UNITED KINGDOM;
Vincenzo Re, Harlow, UNITED KINGDOM;

Assignment For Published Patent Application

SmithKline Beecham p.l.c.;

Domestic Priority data as claimed by applicant

This application is a CON of 09/831,650 01/07/2002 ABN
which is a 371 of PCT/EP99/08704 11/08/1999

Foreign Applications

UNITED KINGDOM 9824866.9 11/12/1998
UNITED KINGDOM 9824867.7 11/12/1998
UNITED KINGDOM 9824869.3 11/12/1998
UNITED KINGDOM 9912193.1 05/25/1999
UNITED KINGDOM 9912190.7 05/25/1999
UNITED KINGDOM 9912191.5 05/25/1999

If Required, Foreign Filing License Granted: 01/21/2004

Projected Publication Date: 04/29/2004

Non-Publication Request: No

Early Publication Request: No

Title

Pharmaceutical composition for modified release of an insulin sensitiser and another antidiabetic agent

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).